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No. 1122

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

NOTIFICATION

No. LAW 24 LGN 78,

Bangalore, dated 8th August 1978.

Ordered that the **Karnataka Co-operative Societies (Amendment) Act, 1978** which received the assent of the Governor on the Eighth day of August 1978 be published as Karnataka Act No. 14 of 1978 in the **Karnataka Gazette** for general information.

KARNATAKA ACT No. 14 OF 1978

(*First published in the* Karnataka Gazette *Extraordinary on the Eighth day of August* 1978).

THE KARNATAKA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 1978.

(*Received the assent of the Governor on the Eighth day of August* 1978).

An Act further to amend the Karnataka Co-operative Societies Act, 1959.

Wheras it is expedient further to amend the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) ;

Be it enacted by the Karnataka State Legislature in the Twenty-ninth Year of the Republic of India as follows :—

1. Short title and commencement.—(1) This Act may be called the Karnataka Co-operative Societies (Amendment) Act, 1978.

(2) It shall be deemed to have come into force on the twenty-seventh day of April 1978.

2. Amendment of section 14A.—In section 14A of the Karnataka Co-operative Societies Act, 1959 (Karnataka Act 11 of 1959) (hereinafter referred to as the principal Act),—

(1) after sub-section (1), the following sub-section shall be and shall always be deemed to have been inserted, namely :—

"(1A) Before making an order under sub-section (1) it shall not be necessary for the Registrar or any other officer to give any co-operative society or person likely to be affected by such order an opportunity of making representation or of being heard",

(2) in sub-section (2),—

(a) in sub-clause (ii) of clause (b), before the words "who shall" the words and figures, "subject to section 111A" shall be and shall always be deemed to have been inserted.

(b) after sub-clause (iii), the following proviso shall be and shall always be deemed to have been inserted, namely :—

"Provided that the Registrar may by order curtail the term specified under sub-clause (i) and take necessary steps to hold the general meeting of the co-operative society and elections before the expiry of the term so curtailed."

3. Validation.—Notwithstanding anything contained in any judgment, decree or order of any court or other authority, no order of amalgamation, division or reorganisation of co-operative societies made under section 14A of the principal Act by the Registrar or any other officer prior to the commencement of this Act shall be deemed to be invalid or to have become invalid only on the ground that the said order was made without authority or without giving an opportunity of being heard to the affected co-operative societies or persons and all orders of amalgamation, division or re-organisation of co-operative societies so made before the commencement of this section shall be deemed to be valid and effective as if they had been made in accordance with the provisions of the principal Act as amended by this Act and the Karnataka Ordinance 7 of 1977 and accordingly, all orders issued, things done, proceedings or action taken,

(a) by the Registrar or by any other officer for the amalgamation, division or re-organisation of co-operative societies ; or

(b) by the amalgamated, divided or re-organised co-operative societies,

shall, for all purposes, be deemed to be and to have alway been issued, done or taken in accordance with law.

4. Repeal of Karnataka Ordinance No. 2 of 1978.—

(1) The Karnataka Co-operative Societies (Amendment) Ordinance, 1978 (Karnataka Ordinance No. 2 of 1978) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

By Order and in the name of the Governor of Karnataka,

K. R. CHAMAYYA,
Draftsman and Ex-Officio
Additional Secretary to Government,
Department of Law and Parliamentary Affairs.

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